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6 Attorney for Trustee

7 **IN THE UNITED STATES BANKRUPTCY COURT**

8 **FOR THE DISTRICT OF ARIZONA**

9 In re: ) In Chapter 7 Proceedings  
10 GARY A. MARTINSON, )  
RONNA L. MARTINSON, ) Case No. 2:09-BK-33841-RJH  
11 Debtors. )  
12 \_\_\_\_\_ )  
13 PNC BANK, N.A. )  
14 Movant, )  
15 v. )  
16 GARY A. MARTINSON, )  
RONNA L. MARTINSON, )  
17 LAWRENCE J. WARFIELD, TRUSTEE; )  
18 Respondents. )  
19 \_\_\_\_\_ )

20 **OBJECTION TO STAY RELIEF MOTION**

21 The trustee objects to the stay relief motion filed by PNC  
22 Bank, N.A. at Docket No. 95. A recent appraisal of the subject property  
23 indicates that the property is worth more than the debt, so PNC is  
24 adequately protected. Moreover, the trustee has objected to the  
25 homestead exemption asserted by the debtors. Thus, the equity in the  
26 property should be realized for the benefit of creditors.

27 The trustee requests that the Court order the debtors to allow  
28 the trustee to immediately list the property for sale so that it can be

1 sold, the bank can be paid, and the proceeds impounded pending a  
2 determination of the homestead exemption.

3 **WHEREFORE**, the Trustee requests the entry of an order denying  
4 the stay relief motion and ordering the property to be immediately  
5 listed for sale.

6 DATED June 29, 2010.

7 **TERRY A. DAKE, LTD.**

8 By /s/ TD009656  
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12 COPY e-mailed June 29, 2010, to:

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